



PUBLIC COMMENT FORM

Cascade County Planning Department
121 4th St N, Suite 2H-2I Great Falls, MT 59401
Phone: 406-454-6905 | Fax: 406-454-6919
Email: planningcomments@cascadecountymt.gov

Instructions:

This form is for providing public comment to the Cascade County Planning Department for review by any one or more of the following review and/or approval boards: Zoning Board of Adjustment (ZBOA), Planning Board, or Board of County Commissioners. Only complete submissions will be included for board review. Please provide the relevant information for each section below. A complete submission provides all of the following: commenter name and address, comment subject, and commentary on the subject issue(s). If additional space is needed for commentary, please attach additional sheets to this form. Completed forms may be submitted in person at the Planning Department's office or by email at planningcomments@cascadecountymt.gov.

Commenter Information:

Name: Kathleen McMahon

Complete Address: 151 Wedgewood Ln., Whitefish, MT 59937

Comment Subject (please check one):

- ☐ Special Use Permit Application ☐ Subdivision ☒ Zoning Text and/or Map Amendment
☐ Growth Policy ☐ Variance ☐ Floodplain Regulation Amendment
☐ Subdivision Regulation Amendment ☐ County Road Abandonment/ Discontinuation of County Street
☐ Other (describe): _____

Comment:

I am a professional land use consultant and have prepared these comments on behalf of Montanans For Responsible Land Use (MFRLU).

Thank you for your consideration of these comments.

For Office Use Only

Date Received:		Date Reviewed:		Complete:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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To: Cascade Board of County Commissioners

From: Kathleen McMahon, AICP

Date: 11-5-20

RE: Public Hearing Comments – Zoning Ordinance Revisions

The following comments are submitted on behalf of the Montanans For Responsible Land Use (MRFLU) regarding the proposed zoning text and map amendments. These comments are supplemental to input previously provided in a memo dated 10-27-20 and are submitted to respond to new material that has subsequently been posted to the Cascade County web site.

1. MRFLU supports the creation of the MU-20 District

- a. MRFLU agrees the maps and geospatial analysis accurately depicts the pattern of development that is the basis for establishing the MU-20 District.
- b. MRFLU agrees with the description and intent of the MU-20 district as a “typical mixed-use district” with “less intensive” and “commercial” uses that cater to the residential areas and are typically found on major transportation corridors. (Slide 4 of staff presentation)
- c. MRFLU agrees with the Planning Board recommendation to approve the MU-20 District.

2. MRFLU supports the creation of a “Proper Agriculture District”.

- a. MRFLU agrees with the statement in appendix 11 of the staff report that there should be a district that would “... move in the direction of a proper agriculture district.”
- b. MRFLU agrees with the recommendation for “Removal of non-Agricultural Uses (General Sales, Shopping Centers, Manufactured Housing Sales, Nursing Homes, Parking Garages, Warehouses)” from the area proposed for the MU-40 District.
- c. MRFLU agrees with the proposed minimum lot size of 40 acres in the area described as MU-40 to reflect the character of the district.

3. The Growth Policy Analysis in the staff report is not complete.

- a. The staff report list 8 goals and 13 objectives from the growth policy that were referenced throughout the appendices to the staff report. This list of goals and objectives provides the basis for, “Finding 1: The proposed regulation and map revisions have been made in accordance with the Growth Policy and demonstrates substantial compliance.”
- b. On 3-19-19 Carolyn Craven submitted public comments identifying goals and objectives from the Growth Policy that were relevant to the proposed zoning revisions. On 3-25-19, Tammie Lynn Smith submitted an analysis of growth policy goals, objectives and policies that was prepared by this consultant.

- c. The public comment cited above identified 20 individual goals, objectives and policies that were not included as part of the staff report. Additionally, the public comment included extensive analysis that refuted the finding of substantial compliance with the goals and objectives that the staff report did reference. (See Growth Policy Analysis submitted on 3-25-19).
 - d. Finding #1 of the staff report that states there is substantial compliance with the Growth Policy is not supported by the facts because the staff report omitted analysis of 20 relevant goals, objectives and policies that were identified through public comment.
4. **The definition of the MU-40 District is not consistent with the prevailing land use and character of the district or the stated purpose of the district as presented by staff.**
- a. Although Appendix 11 of the staff report states that the purpose of the MU-40 district is, “to move in the direction of a proper agricultural district”, the proposed statement of intent for the District does not even mention the term “agriculture”.

“The MU-40 District is intended to provide for mixed land uses that may be more intensive in character and larger in scale while allowing residential sites characteristic of traditional farming and ranching uses.”
 - b. As statement of intent for the MU-40 District describes a land use pattern for “large scale intensive mixed uses”. This type of development significantly differs from the prevailing land use and is not compatible with the existing agricultural and rural character of the district.
 - c. The staff presentation even acknowledges the agricultural nature of the proposed MU-40 district in the PowerPoint from the BOCC work session. It describes the MU-40 as “Generally large lot sizes commonly described as aliquot parts associated with large Ag operations”. (Slides 8 & 9)
 - d. The staff report inaccurately states, “The area being rezoned from Agricultural (A) to Mixed-Use 40 (MU_40) consist of a mix of residential, commercial, recreational, industrial and agriculture. This is evidenced by Map 2 and Map 3 in the staff report materials.” (pg. 10) The maps indicated that the uses described in this section are concentrated in the MU-20 District.
 - e. A review of the maps for the proposed MU-40 district, clearly indicates that the proposed MU-40 includes large expanses of agriculture land with sparse development that mostly consists of agricultural buildings and rural residential.
 - f. Furthermore, Map 3 in the appendices includes a screenshot of a map from the Montana Natural Heritage program, that shows that over 96% of the land in the proposed MU-40 District is classified as “Cultivated crops, pasture/hay, prairie/grassland, and Forest/woodland”.
 - g. A more detailed analysis of the permits shown on Map 3, indicate that since 2005, less than 20 permits were issued for uses that were non-agriculture or non-residential in the areas that is designated as MU-40. These uses are spread out over a land area equal to almost one million acres.

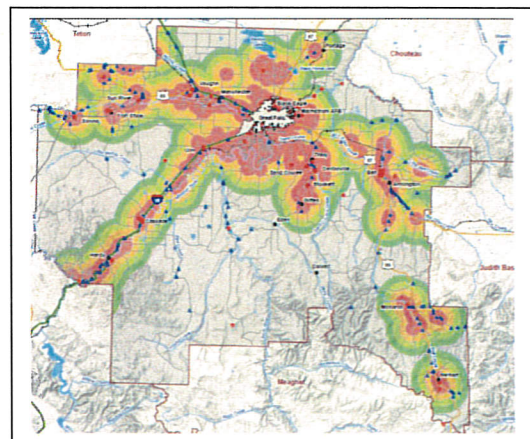
- h. According to the Growth Policy significant areas of the proposed MU-40 district is classified as "Prime Agriculture." (See Growth Policy analysis submitted on 3-25-19)
- i. Appendix 11 of the staff report even states, "Actual land use within the current agricultural district is agricultural in character...". The mix of uses
- j. A detailed review of maps, location conformance permits, soil surveys, and staff report description of the area, demonstrates that the prevailing land use is without question agriculture, crops, pasture, forest and rural residential. Large scale intensive mixed uses are clearly out of character with the prevailing agriculture and rural land uses.
- k. MRFLU strongly disagrees with Appendix 11 of the staff report that states, "The current "Agricultural District" is agricultural in name only. The allowed and special uses under the "Agricultural District" are diverse and span residential, commercial, and industrial uses." This statement is based the list of allowed/special uses enumerated in the zoning ordinance. According to the staff report, however, zoning should be evaluated on the basis of **prevailing** land use. (Little v. Board of County Commissioners cited on pg. 10) The Montana Supreme Court confirmed that "prevailing land use" is the only appropriate test to characterize land use. As noted below:

"Nothing in North 93 Neighbors directs a court to consider what uses would be available under existing zoning in lieu of prevailing uses, as the County suggests." (Plains Grains vs. Board of Cascade County Commissioners)

- l. Finding #14 of the staff report that states "The zoning changes would not allow uses that differ significantly from the prevailing uses in the areas affected." is not supported by the facts because the analysis of "prevailing land use" demonstrates that large scale intensive uses and manufacturing process are significantly different from the prevailing agriculture and rural residential land use in the proposed MU-40 District.

5. There are serious public health, safety and welfare concerns with locating large scale intensive uses in remote/rural sections of the County

- a. Staff report states that "Most of the MU-40 District is not located in the WUI". The map from the Cascade County Pre-Disaster Mitigation Plan, however, indicates significant acreage that is classified "Very High" and "High" fire risks. Areas with this rating represent "a substantial risk of life loss, severe financial impact on the community or unusual potential damage to property in the event of fire." (Source : Cascade County Community Wildfire Protection Plan (CWPP) pg. 27& pg. 28)



- b. The staff report states that, "Large minimum lot sizes do not allow for dense development in the WUI." The statement of intent for the MU-40 District, however, states that the district is intended, to provide for large scale intensive mixed uses. A large-scale intensive use could easily exceed the 40-acre minimum lot size and is the type of high-density development that should not be allowed in the WUI.
- c. The staff report states that "MU-40 Districts require most allowed uses to go through a special sue process. The special use permit process ensures that: (1) proposed developments are considered on a case-by-case basis; (2) subject to public comment; (3) reviewed by interested agencies; (4) adhere to additional standards and (5) contingent upon Zoning Board of Adjustment approval." The staff report further states such protections are "security against proposals that may have higher levels of risk within the large district."
- d. Although the staff report relies on the SUP process to provide protection for high risks projects, it removes the SUP requirements for, "Value added agricultural commodity processing facility." Such use may include "processing, manufacturing, storage and the like." and typically involves the transport and use of highly toxic chemicals.
- e. The Cascade County Multi-Hazard Mitigation Plan states, "A release of hazardous materials from both fixed and transportation incidents pose possible threats involving emergency response. Hazards range from small spills on roadways to major transportation releases on railways or pipeline ruptures contaminating land and water." The multi-hazard plan also ranks such an incident as "Highly Likely" with "Critical" severity. (Table 4.13)
- f. A value added agricultural commodity processing facility with manufacturing processes could include large structures that are likely to exceed the firefighting capability of rural volunteer fire departments.
- g. The staff report states, "Transportation in much of the MU-40 District is limited to gravel and dirt roads in variable conditions". The county has remote areas with poor roads which results in long response times from volunteer fire departments. This is especially concerning since "high risk" large-scale intensive uses and manufacturing processes will be allowed to locate anywhere within the proposed MU-40 district regardless of road conditions or response times.
- h. The Cascade County Multi-Hazard Mitigation Plan states ""To be minimally effective in controlling a structure fire, the initial responding apparatus should reach the scene of the structural fire before "flashover" occurs. The time from ignition to flashover varies based on the materials involved in the fire, but generally occurs somewhere between 4 and 10 minutes. (pg. 29)"
- i. Some areas in the County lack adequate water supply for firefighting and are not suitable for large scale intensive uses or manufacturing processes.
- j. Although staff states that a 40-acre minimum lot size mitigates risk, such a lot size does not mitigate the potential for lengthy emergency response times, poor road conditions, lack of adequate water supply for firefighting, toxic chemical spills or other similar issues.

- k. Finding # 2 in the staff report that the revisions are designed to secure safety from fire is not supported by the facts because 1) There is potential for the large scale intensive uses to locate in the wildland urban interface 2) the use of SUP requirements to provide security against unique hazards within the MU-40 District has been removed for the value added manufacturing which could involve large structure fires and that use hazardous chemicals that are classified as a high risk use in the county multi-hazard mitigation plan 3) remote areas with poor roads have lengthy response times from emergency services 4) areas of the county may lack adequate water supplies for fighting large structure fires 5) Small volunteer fire departments may lack the capacity to fight large structure fires in remote areas.
- l. Finding #3 that states that the regulations “encourage new developments in the Districts to occur along major transportation routes to ensure easy access for emergency services”, cannot be supported because there is potential for such large scale intensive uses to locate in remote areas of the proposed MU-40 District with gravel and dirt roads where there is not easy access for emergency services which leads to lengthy response times.
- m. Finding #4 that states “The proposed zoning map and regulation revisions facilitate the adequate provision of transportation by locating land uses with higher traffic impacts along transportation corridors in the MU-20 District.” is not supported by the facts because high volume traffic generation, truck traffic and heavy loads that would be associated with large scale intensive uses and value added manufacturing processes could locate anywhere in the MU-40 District in areas primarily served by gravel and dirt roadways that are not suitable for high traffic impacts.
- n. Findings # 9 and #10 that states that “Effects on transportation systems would be minimal” because roads in the MU-20 District are paved and commercial uses have been removed from the MU-40 District, are not supported by the facts because there is potential for large scale intensive uses and manufacturing processes to locate in the MU-40 District where roads are not suitable for heavy traffic. Additionally, there is no special use permit required for value added manufacturing to mitigate the traffic impacts.

6. MRFLU Recommendations

Based on this analysis, MRFLU request that the County Commissioners adopt the Planning Board recommendation with the following modifications.

- a. Retain the Agricultural District and add a statement of intent that reflects the purpose in the staff report to create a “proper agricultural District.” The following draft statement of intent is derived from the Growth Policy.

“Intent: The purpose of this district is to preserve, promote, maintain and enhance the use of such areas for agricultural purposes and related small-scale agricultural businesses while limiting encroachment by non-agricultural uses, structures or activities. Regulations in this district are intended to protect the most productive soil types, by encouraging non-agricultural and large-scale development to locate near towns in areas most economically and environmentally appropriate for such uses.”

(Note: Above statement is based on the following statements in the Growth Policy: Goal 3, Obj. A , B and D; Chapter 5 – Policy 2, 6, 10, 11 and 12; Section 7.5, Policy 1, Section 8.3)

- b. MRFLU agrees with the "Removal of non-Agricultural Uses (General Sales, Shopping Centers, Manufactured Housing Sales, Nursing Homes, Parking Garages, Warehouses)" in the area that will be retained in the Agricultural District.
- c. Retain the special use requirement for "Value added agricultural commodity processing facility. This may include processing, manufacturing, storage and the like."
- d. MRFLU agrees with a minimum lot size of 40-acres for the Agricultural District.
- e. MRFLU agrees with listing the uses in section 7.2.4(25) of the existing code as individual special uses.

Yonker, Charity N.

From: Ronda K Wiggers <rondakwiggers@gmail.com>
Sent: Friday, November 6, 2020 11:36 AM
To: Yonker, Charity N.
Subject: fencing

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

In MCA it is only for livestock containment. Maybe make sure that is clear in the zoning

https://leg.mt.gov/bills/mca/title_0810/chapter_0040/part_0010/section_0010/0810-0040-0010-0010.html

Ronda

Yonker, Charity N.

From: Ronda K Wiggers <rondakwiggers@gmail.com>
Sent: Friday, November 6, 2020 10:48 AM
To: Briggs, Joe; Yonker, Charity N.
Subject: Circular 9 From DEQ

Follow Up Flag: Follow up
Flag Status: Completed

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[https://deq.mt.gov/Portals/112/Water/WPB/MPDES/Permits/CAFO/rulechanges/Circular_DEQ%20 9.pdf](https://deq.mt.gov/Portals/112/Water/WPB/MPDES/Permits/CAFO/rulechanges/Circular_DEQ%209.pdf)

Yonker, Charity N.

From: Ronda K Wiggers <rondakwiggers@gmail.com>
Sent: Friday, November 6, 2020 11:01 AM
To: Briggs, Joe; Yonker, Charity N.
Subject: CAFO info

Follow Up Flag: Follow up
Flag Status: Completed

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Had all this on my computer due to an argument about rules on placing water wells near CAFO lagoons. Thought I could help.

https://leg.mt.gov/bills/mca/title_0750/chapter_0050/part_0080/section_0010/0750-0050-0080-0010.html - definition of CAFO under MT law

Kurt thinks we may have a CAFO at the feedlot outside of Vaughn

<https://leg.mt.gov/content/Publications/Environmental/2006-permit-index.pdf> - page 34 is CAFO permit

Yonker, Charity N.

From: Deborah Jenkins <deborah.HRS@outlook.com>
Sent: Friday, November 6, 2020 1:23 PM
To: Planning Comments
Cc: Weber, Jane; Larson, James; Briggs, Joe
Subject: Board of County Commissioners Meeting 11/12/20 comments
Attachments: Public-Comment-Form-D Jenkins 11-12-2020.pdf; Public Hearing Comments - D Jenkins 11-12-20.docx; Public-Comment-Form-MH Jenkins 11-12-2020.pdf; Public Hearing Comments - M Jenkins 11-12-20.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see the attached public comment form and attached comments from both myself and my husband. We are submitting these separately because in the past, when we have submitted them together on one form, it appears that it was only added to the tally as one public opinion, rather than two. Please consider these as two towards the count. Thank you.

Ps- We are glad to hear you are on the mend, Mr. Briggs, and congratulations for your re-election win, Mr. Larson.

Best Wishes and Stay Well,

Deborah

Deborah Jenkins, SHRM-CP, PHR
Speaker | Trainer | Consultant | Coach | Facilitator | Writer
HR Solutions, LLC
<https://www.hrs-mt.com> | (406)836-2833

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Public Comment Form

Cascade County Public Works Department Planning Division
121 4th St N, Suite 2H-2I Great Falls, MT 59401
Phone: 406-454-6905 | Fax: 406-454-6919
Email: planningcomments@cascadecountymt.gov

Instructions

This form is for providing public comment to the Cascade County Planning Division for review by any one or more of the following review and/or approval boards: Zoning Board of Adjustment (ZBOA), Planning Board, or Board of County Commissioners. Only complete submissions will be included for board review. Please provide the relevant information for each section below. A complete submission provides all of the following: commenter name and address, comment subject, and commentary on the subject issue(s). If additional space is needed for commentary, please attach additional sheets to this form. Completed forms may be submitted in person at the Planning Division office or by email at planningcomments@cascadecountymt.gov.

Commenter Information

Name: Michael H. Jenkins

Complete Address: 298 Hastings Road, Sand Coulee, MT 59472

Comment Subject (please check one):

- ☐ Special Use Permit Application ☐ Subdivision ☒ Zoning Text and/or Map Amendment
☐ Growth Policy ☐ Variance ☐ Floodplain Regulation Amendment
☐ Subdivision Regulation Amendment ☐ County Road Abandonment/ Discontinuation of County Street
☒ Other (describe): complete address disclosure requirements

Comment

Please see the attached comments

Also, I would request that the county follow suit with the city's decision to stop requiring disclosure of complete addresses from the public for privacy and security reasons. Declaring that we reside in Cascade County should suffice.

For Office Use Only

Date Received:		Date Reviewed:		Complete:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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Date: 11/6/2020
To: Cascade County Commissioners
From: Deborah Jenkins
Re: Revising Zoning Regulations

I am submitting these comments towards the Revision Zoning Regulations Hearing scheduled for 11/12/2020.

I agree with the original recommendations from the Planning Board from September 2019. Specifically:

1. Denial of proposed Sub-Section 7.7 "Mixed Use 40 (MU-40) District"
2. Retention of the current Agricultural District
3. Adoption of the remaining revisions in sections 1 through 18 of the CCZR
4. Adoption of the text revisions and zoning map boundaries for the MU-20 District

I disagree with the current recommendations from Planning Staff, suggesting retention of the MU-40 District with proposed changes. Specifically:

1. It is not the name "MU-40" that I have a problem with, it is the zoning changes that I object to.
2. MU-40 covers a lot of agricultural land and the zoning changes recommended are too broad. It would make it open for large-scale intensive industrial uses in areas that would not be appropriate.
3. There is designated prime soil perfect for farming of food crops and grazing for ranchers that would be jeopardized. If you industrialize these fertile lands, there is no recovery back to the natural and nourishing properties of the land.
4. I object to any Special Use Permits for uses in areas that are not appropriate and out of alignment with our growth policy. Our Cascade County has devised a Growth Policy for a reason, and this should be a guiding point to be followed. Experts were tasked to devise the Policy and that should be given due consideration. Reviewing the Policy at least annually should be done to assure any necessary revisions or corrections are made.
5. I am concerned with changing our Ag Zoning to the proposed MU-40 that would allow for heavy industry in rural areas for safety reason as well. Access for emergency crews responding to medical emergencies such as industrial accidents, or fires, or other unforeseen events is not adequate for public health and safety.
6. Our Cascade County has established a process to include two volunteer boards participation, the Planning Board and the Zoning Board of Adjustments. These boards include community members that have value to add to the process. You should listen to their findings and follow their recommendations. If you don't, the perception can easily be seen as that these boards are only used as scapegoats by you to make the tough decisions that you want, while you reverse their recommendations if they don't match your objections.
7. It is my opinion that these two volunteer boards do follow the governance that allows for public input and that they do listen to it, even if it is a high volume of comments. If 2 people or 200 people show up to a public meeting and want to be heard, even if it is simply to say 'me too' for the record, that should not be denied to any of them. I do not feel that same public participation welcoming from you, the Cascade County Commissioners.
8. Following the process, respecting the boards' recommendations, and securing public input allows for that crucial 'public participation' piece.

Further, I am a member of Montanans for Responsible Land Use (MfRLU) and have been actively involved in reviewing, analyzing, and commenting on the recent zoning ordinance revision proposals sparked by the Madison Food Park application. MfRLU has retained Kate McMahon to research, advise us, and participate in this process. I am in complete agreement with Kate's findings, analogies, and recommendations, including her public comment dated 11/5/2020.



Public Comment Form

Cascade County Public Works Department Planning Division
121 4th St N, Suite 2H-2I Great Falls, MT 59401
Phone: 406-454-6905 | Fax: 406-454-6919
Email: planningcomments@cascadecountymt.gov

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Name: Deborah Jenkins

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Date Received:

Date Reviewed:

Complete:

☐ Yes

☐ No

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Yonker, Charity N.

From: nate kluz <natekluz@gmail.com>
Sent: Friday, November 6, 2020 2:15 PM
To: Planning Comments
Cc: Larson, James; Weber, Jane; Briggs, Joe; Fogerty, Bonnie
Subject: Cascade County Zoning Revisions - 11/12/2020 Cascade County Commissioner's Meeting - Public Comment

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Dear Commissioners,

I agree with the planning boards recommendations to move forward with the MU-20 district, but retain the Agricultural district.

The Agricultural district ought to be better defined with an intent statement that recognizes and supports the actual predominant agricultural uses and aligns the zoning towards maintaining these uses in the future.

The Agricultural district should also be changed for the "Removal of non-Agricultural Uses (General Sales, Shopping Centers, Manufactured Housing Sales, Nursing Homes, Parking Garages, Warehouses)". Please also keep make sure the most intensive Land uses continue to utilize Special Use Permits (SUPs). This is especially important in the case of Value-Added Agriculture projects. This concept is too broad and ambiguous to be allowed by right. So, please keep the planning boards recommendation to require "Value added agricultural commodity processing facility. This may include processing, manufacturing, storage and the like" to obtain a special use permit.

I am also concerned that these comprehensive and far-reaching changes have been made by the planning "staff". There has been no accountability with whose ideas these changes are. No one in Cascade County's leadership will claim responsibility for these changes. Commissioner Weber suggests that it is a combination of forces, including input from developers and engineers, but no one can describe these meetings and how they influence these changes. It would seem that a small minority of business interests have more influence than the citizens that have been involved in this drawn out process. Yet, these people, and the public servants accommodating their interests, remain opaque and away from public scrutiny. This is bad governance and Cascade County citizens are done with the County's opaque top-down processes that reward an intense minority of business interests over citizens.

Respectfully,

Nate Kluz
597 Armington Road
Belt, MT 59412

Sent from my iPad

Yonker, Charity N.

From: tammielsmith@3riversdbs.net
Sent: Friday, November 6, 2020 3:47 PM
To: Planning Comments
Subject: Commissioners Hearing Nov 12, 2020 - Draft Zoning Regulations
Attachments: 11062020 PUBLIC COMMENT SUBMISSION RE ZONING REGULATIONS.pdf; 110520 Zoning Regulations Public Comment.docx

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attached is the required Public Comment Form and Memo regarding the Zoning Regulations to be heard by the Cascade County Commissioners on Nov. 12, 2020.

Tammie Lynne Smith
397 Highwood Road
Great Falls, MT 59405



PUBLIC COMMENT FORM

Cascade County Planning Department
121 4th St N, Suite 2H-2I Great Falls, MT 59401
Phone: 406-454-6905 | Fax: 406-454-6919
Email: planningcomments@cascadecountymt.gov

Instructions:

This form is for providing public comment to the Cascade County Planning Department for review by any one or more of the following review and/or approval boards: Zoning Board of Adjustment (ZBOA), Planning Board, or Board of County Commissioners. Only complete submissions will be included for board review. Please provide the relevant information for each section below. A complete submission provides all of the following: commenter name and address, comment subject, and commentary on the subject issue(s). If additional space is needed for commentary, please attach additional sheets to this form. Completed forms may be submitted in person at the Planning Department's office or by email at planningcomments@cascadecountymt.gov.

Commenter Information:

Name: TAMMIE LYNNE SMITH

Complete Address: 397 HIGHWOOD ROAD, GREAT FALLS, MT 59405

Comment Subject (please check one):

- ☐ Special Use Permit Application ☐ Subdivision ☒ Zoning Text and/or Map Amendment
☐ Growth Policy ☐ Variance ☐ Floodplain Regulation Amendment
☐ Subdivision Regulation Amendment ☐ County Road Abandonment/ Discontinuation of County Street
☐ Other (describe): _____

Comment:

PUBLIC COMMENT RE: DRAFT ZONING REGULATIONS
FOR COMMISSIONER'S HEARING NOV. 12, 2020
SEE ATTACHED

For Office Use Only

Date Received:		Date Reviewed:		Complete:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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To: Cascade County Commissioners

From: Tammie Lynne Smith
397 Highwood Road
Great Falls, MT 59405

Date: November 06, 2020

Re: Public Comment
Draft Zoning Regulations

I have reviewed the Agenda Action Report for the Cascade County Commission hearing for November 12, 2020, the Staff Reports, Appendices, and public comments regarding the Draft Zoning Regulations and have the following comments:

1. I oppose the planning department's inclusion of the "Mixed Use 40 District considerations and analysis...despite the Planning Board's recommendation to deny the creation of a Mixed Use 40 District." The Planning Board and public spent eight months debating through public comments, both written and oral, the pros and cons of the proposed MU40 District. Detailed, specific arguments were presented by both sides. After complete review of all the information made available by the planning department and the public the Planning Board voted to deny recommendation of the proposed MU40 District to the commissioners.
Reintroducing the Mixed Use 40 District in the recommendation to the commissioners willfully disregards the voice of the Planning Board and the public.
2. I oppose the planning department's Finding #1 which states "the proposed zoning regulation and map revisions have been made in accordance with the Growth Policy and demonstrate substantial compliance." During the course of public comments and hearings before the Planning Board, the Cascade County Growth Policy was found by Planning Staff to be deficient and non-compliant with current legislation. A determination was made by the Planning Board to delay review and revision of the Growth Policy until the 2020 Census information is made available and will be used as a tool to properly evaluate and update the county's growth plan for the near future.
3. I oppose the proposed statement of intent for the Mixed Use 40 District. "The MU40 District is intended to provide for mixed land uses that may be more intensive in character and larger in scale while allowing residential sites characteristic of traditional farming and ranching uses."
 - a. The phrase "traditional farming and ranching uses" does not fully encompass agriculture or agricultural uses.
 - b. "Large scale intensive mixed uses" is not defined by the planning staff report or supporting documents but rather implied by the extensive list of permitted and permitted by special use permit uses.
 - c. The definitions of permitted and permitted by special use permit uses, including Slaughterhouses, CAFO's, AFO's and referenced as "large scale intensive mixed uses" bears no resemblance to prevailing land use or the existing agricultural character of the district.
4. I oppose the use of the Mixed Use 40 District to include everything in the existing Agriculture District that isn't designated Mixed Use 20. The planning department, the Planning Board, the Zoning Board of Adjustments, the Commissioners, the Economic Development, real estate, housing, and other major sectors of Cascade County acknowledge there is a detrimental lack of industrial zoned land in the county. However, to miscategorized and broadly label 1 million acres of land, including land designated as Prime Agriculture, to mixed used for "large scale intensive mixed uses" is inappropriate.
5. I oppose the planning department's allegation that the existing Agriculture District is agriculture in name only. A simple review of agricultural data, including the annual Montana Agriculture Statistics report, show that 90% of land in the proposed MU40 District is used as crop, grazing, prairie, or forest land.

6. I oppose the intent of the Mixed Use 40 District for "large scale Intensive mixed uses" due to the lack of sufficient review and identification of potential serious public health, safety, and welfare concerns. The staff report largely contradicts the Cascade County Pre Disaster Mitigation Plan.
7. I support the proposed Mixed Use 20 District.
8. I support the planning department assertion that non-Agricultural Uses be removed from the Agricultural District to the Mixed Use 20 District.
9. I support MfRLU's recommendation that the Agriculture District statement of intent be rewritten to create a proper agricultural district.
10. I support retaining the Permitted by Special Use Permit for Value Added Agricultural Commodity Processing Facility.

Thank you.

Yonker, Charity N.

From: LaLonnie Ward <lalonnieward@gmail.com>
Sent: Friday, November 6, 2020 4:32 PM
To: Planning Comments
Subject: Proposed Revisions to Zoning Regulations
Attachments: PC Cover Ltr Form 11-12-20.pdf; BOCC public comment - 11-12-20.doc

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

For your review is attached public comment. Should you have any issues opening the attachments, please do not hesitate to contact me.

Thank you,
LaLonnie Ward



PUBLIC COMMENT FORM

Cascade County Planning Department
121 4th St N, Suite 2H-2I Great Falls, MT 59401
Phone: 406-454-6905 | Fax: 406-454-6919
Email: planningcomments@casadecountymt.gov

Instructions:

This form is for providing public comment to the Cascade County Planning Department for review by any one or more of the following review and/or approval boards: Zoning Board of Adjustment (ZBOA), Planning Board, or Board of County Commissioners. Only complete submissions will be included for board review. Please provide the relevant information for each section below. A complete submission provides all of the following: commenter name and address, comment subject, and commentary on the subject issue(s). If additional space is needed for commentary, please attach additional sheets to this form. Completed forms may be submitted in person at the Planning Department's office or by email at planningcomments@casadecountymt.gov.

Commenter Information:

Name: LaLonnie Ward

Complete Address: 70 McKinior Road, Great Falls, MT 59405

Comment Subject (please check one):

- ☐ Special Use Permit Application ☐ Subdivision ☐ Zoning Text and/or Map Amendment
☐ Growth Policy ☐ Variance ☐ Floodplain Regulation Amendment
☐ Subdivision Regulation Amendment ☐ County Road Abandonment/ Discontinuation of County Street
☒ Other (describe): Proposed Zoning Regulations Revisions

Comment:

Please see attached...

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Date Received:		Date Reviewed:		Complete:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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To: The Board of Cascade County Commissioners,

Cascade County's Agricultural District is my neighborhood. The land I live on has been my family's neighborhood since the 1950's. Many of my neighbors' families have been here longer. We belong to a community of family farms and ranches. The soils on our farm, comprised of Lawther clay, Lawther silty clay, Gerber-Lawther silty clay and Gerber silty clay loam, make for productive croplands. These soils are classified by the USDA/NRCS as "Farmland of Statewide Importance". The Lothair silty clay loam soil that line our coulees provide forage for area wildlife like mule deer, white-tailed deer, pronghorns, and upland game birds. The wetland areas here make habitat available for migrating birds such as Canadian geese, tundra swans, snow geese, and sand hill cranes.

As an Ag landowner, my intention is to preserve and keep our farm in the family. Naturally, concerns arise from the proposed change of our current Agricultural District, for which the prevailing land use is primarily agriculture, to a Mixed Use (MU40) District, that is intended "to provide for mixed land uses that may be more intensive in character and larger in scale."

The deletion of *non-agricultural uses* is certainly reasonable, however, because the scale and/or intensive nature of a *value-added agricultural commodity processing facility* can vary immensely, a special use permit should be required. For example, compare the Lactalis Group's 326,000 square foot cheese facility in Nampa, Idaho that yearly produces over 350 million pounds of cheese and whey products, to say the Blue Heron Cheese Company in Tillamook, Oregon, a small, family owned producer of specialty Brie. Both offer *value added agricultural commodity processing*, but are extremely different in scale and impact.

Those lands in our Agricultural District that are predominately used for agriculture should remain in an agricultural district, however, regardless of what the District is eventually named, please reconsider the inclusion of *value added agricultural commodity processing facility*, as a permitted use, and require the special use permit process.

The time and effort extended by the Planning Staff, the Planning Board, and County Commissioners in considering public input is greatly appreciated.

Thank you,

LaLonnie Ward

Yonker, Charity N.

From: June A. Sprout <jasmt111@gmail.com>
Sent: Friday, November 6, 2020 4:44 PM
To: Planning Comments
Subject: public comment Planning Board revisions
Attachments: public_comment_form_-_master.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please accept the attached form with comments.
Thank you for the opportunity to express our comments on this topic.

June and R. Dale Sprout



Public Comment Form

Cascade County Public Works Department Planning Division
121 4th St N, Suite 2H-2I Great Falls, MT 59401
Phone: 406-454-6905 | Fax: 406-454-6919
Email: planningcomments@cascadecountymt.gov

Instructions

This form is for providing public comment to the Cascade County Planning Division for review by any one or more of the following review and/or approval boards: Zoning Board of Adjustment (ZBOA), Planning Board, or Board of County Commissioners. Only complete submissions will be included for board review. Please provide the relevant information for each section below. A complete submission provides all of the following: commenter name and address, comment subject, and commentary on the subject issue(s). If additional space is needed for commentary, please attach additional sheets to this form. Completed forms may be submitted in person at the Planning Division office or by email at planningcomments@cascadecountymt.gov.

Commenter Information

Name: June and R. Dale Sprout

Complete Address: 217 Skyline Drive NE

Comment Subject (please check one):

- ☒ Special Use Permit Application ☐ Subdivision ☒ Zoning Text and/or Map Amendment
☒ Growth Policy ☐ Variance ☐ Floodplain Regulation Amendment
☐ Subdivision Regulation Amendment ☐ County Road Abandonment/ Discontinuation of County Street
☒ Other (describe): Planning Board Revised Zoning Regulations

Comment

We agree with the recommendations of the Planning Board as made on September 2019.

We agree with denying the "Mixed Use 40 (MU-40) District.

We agree with retaining the current Agricultural District.

We agree with the adoption of the revisions in sections 1 through 18 of CCZR.

We agree with the adoption of the text revisions and zoning map boundaries for the MU-20 District.

We disagree with the zoning changes in MU-40 which would make it available for large-scale intensive industrial uses.

We disagree with eliminating the Agricultural zone which cause the loss of farmland and grazing pastures.

We disagree with removing any Special Use Permits for large-scale intensive uses.

We do not believe that any large-scale industrial scale use is in alignment with Cascade County growth policies.

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Date Received: _____

Date Reviewed: _____

Complete: _____

☐ Yes

☐ No

Yonker, Charity N.

From: Denny Ward <skidro007@gmail.com>
Sent: Friday, November 6, 2020 4:55 PM
To: Planning Comments
Subject: Revisions to Zoning Regulations
Attachments: 112020 public comment.pdf; Ag Zoning Rev 112020.doc

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Planning Department,

Attached are comments regarding revisions to the zoning regulations.

Sincerely,
Denny Ward

Date Received:		Date Reviewed:		Complete:	<input type="checkbox"/> Yes <input type="checkbox"/> No
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With regards to the revisions for the Agricultural District and/or MU40...

Simply adding the words "*value added agriculture*" to a processing facility does not make it any less of a processing facility, hence, allowing for the possibility of a facility to be developed that is more suitable for a Commercial or Industrial District. Provisions in those districts have already been made to ensure the safety and health of the community. Because the character of a processing facility can vary greatly in size and intensity, if allowed in the Agricultural/MU40 District must be subject to special use permit process.